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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/662,073

09/12/2003

Richard Norris Dodge II

14,596

9799

23556 7590 05/03/2007
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EXAMINER

REICHLE, KARIN M

ART UNIT

PAPER NUMBER

3761

MAIL DATE

DELIVERY MODE

05/03/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/662,073

Applicant(s)

DODGE ET AL.

Examiner

Karin M. Reichle

Art Unit

3761

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. §.133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2007 and 21 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 12-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 12-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 6-16-06 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This following action on the merits is based on the claims and amendments to the specification filed 2-12-07, the drawings and abstract filed 6-21-06 and the remarks filed 6-21-06 and 2-12-07. It is noted that the amendment to the paragraph at page 6, line 13 should have been made to paragraph at page 6, line 11 instead.

Specification

The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

For example:

Drawings

1. The drawings were received on 6-16-06. These drawings are approved.
2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the invention as claimed in claims 5-10 and 16-21 still must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing

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sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Description

3. 35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms which are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or verbose terms used in the specification are: page 6, line 33.

4. The disclosure is objected to because of the following informalities: The Summary of the Invention section on page 3, i.e. a description of the claimed invention, and the invention of the claims are still not commensurate in scope. At the very least, see the discussion *infra*, the description of the invention is inconsistent. For example, throughout the claims the invention is

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now set forth as a composite including superabsorbent material which composite has a specific Drop Penetration Value. However, e.g., bridging pages 5-6 it is set forth that the Drop Penetration Value is a property of the superabsorbent material which is not what is claimed. For a second example, the neutralization of the superabsorbent material as claimed is not consistent with what is disclosed in the Examples 1-8. Therefore, at the very least a consistent description of what the invention is should be set forth throughout the specification.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. Claims 1-10 and 12-26 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The claims now require a superabsorbent material which has an Absorption Time of about 5+10 a2 minutes or greater, wherein a is the mean particle size of the superabsorbent material in millimeters, and a liquid capacity of about 15 g/g or greater and which has been neutralized from 30 mole % to 65 mole % with a monovalent metal hydroxide, and neutralized from 5 mole % to 40 mole % with a divalent metal hydroxide and an absorbent composite which exhibits a Drop Penetration Value of about 2 seconds or less as measured by the Saline Drop Penetration Test. Applicant cites a plurality of places for support for such added claim language in the second to last full paragraph of page 19 of the 2-12-07 response. However, while such places provide support for a specific wt % of acrylic acid being first

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neutralized with sodium hydroxide to one specific mole percentage, e.g. 60% at page 11, lines 19-20, 50% at page 12, line 6, 30% at page 12, line 29, 40% at page 13, line 15, 30% at page 14, line 5, 55% at page 14, line 30, 50% at page 15, line 16 and 65% at page 16, line 5 and then neutralized further with a divalent metal hydroxide, i.e. a further 10% with calcium hydroxide, a further 20% with calcium hydroxide, a further 40% with calcium hydroxide, a further 30 % with magnesium hydroxide, a further 40% with calcium hydroxide, a further 15% with calcium hydroxide, a further 20% with magnesium hydroxide and a further 55% with calcium hydroxide, respectively, and then still further specifically processed, e.g. other additional materials, coatings, etc., this is not what is claimed. Additionally, the support, i.e. the Examples, relied upon by Applicant result in materials or composites which have a combination of properties, see, e.g., Table 1 on page 17, which are not the combinations claimed. For example, see the Measured Absorption Time of Examples 7 and 8 relied upon and that claimed in claims 3 and 14 and the Gel Bed Permeability of Examples 3 and 4 and that claimed in claims 4 and 15 and that the property of $\frac{1}{2}$ Float Saturation is no longer claimed at all. If Applicant maintains such claim language, the portion of the original application which provides support for the scope of the entire combination of each claim in a single embodiment should be set forth.

6. Claims 1-10 and 12-26 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

As set forth in MPEP 2164.04, the Examiner has the initial burden to establish a reasonable basis to question the enablement provided for the claimed invention. While the

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analysis and conclusion of a lack of enablement are based on the factors discussed in MPEP 2164.01(a) and the evidence as a whole, it is not necessary to discuss each factor in the written rejection. The language should focus on those factors, reasons and evidence that lead the examiner to conclude the specification fails to teach how to make and use the claimed invention without undue experimentation or that the scope of enablement provided to one skilled in the art is not commensurate with the scope of protection sought by the claims.

First, what is the claimed invention? As set forth in each of the independent claims, the invention is an absorbent composite which comprises superabsorbent material. The superabsorbent material, as best understood, is selected for use therein based on 1) specific desired physical characteristics including its Absorption Time, liquid capacity and Gel Bed Permeability and 2) has been specifically neutralized and the absorbent composite, i.e. the superabsorbent material alone or in combination with other material, is selected for use therein based on 1) specific desired physical characteristics including Drop Penetration Value. Therefore, the claims necessarily also define the invention by the tests or processes used to determine the selection of the superabsorbent used and the physical characteristics 1) of such, e.g. the superabsorbent prior to combination with further composite components, if any, the fibers rather than setting forth specific superabsorbent compositions or specific superabsorbent/composite combination compositions of the end product, and the tests or processes used to determine the selection of the composite used and the physical characteristics 1) of such, i.e. not the specific superabsorbent/composite combination compositions of the end product.

Second, since the claimed physical characteristics 1) of the superabsorbent prior to combination with the composite to form the end product must be determined and the claimed physical characteristics 1) of the composite must be determined, e.g., by a test used to measure such characteristic, the scope of the claims is enabled to the extent the test, i.e. the method and equipment or parameters thereof, measuring such characteristic is described or disclosed.

In the instant application, for example, the claims require a superabsorbent material which has a specific liquid capacity and Absorption Time. While on pages 29-31, a test called "FAUZL" is set forth which measures "a final equilibrium absorption capacity" and "Absorption Time" using a timer capable of reading 120 minutes, it is still not clear the liquid capacity claimed is the same as the "final equilibrium absorption capacity" described and it is described that there are instances where measurement of 200 minutes not just 120 minutes are required but equipment and the method of measurement have still not been set forth for those instances. For another example, the test for the determination of the Drop Penetration Value, as best understood the "Saline Drop Penetration Test", is an evaluation of the hydrophobicity of a specific superabsorbent material/fluff composite, see page 28, lines 22-24, i.e. 50/50 ratio, specific basis weight, specific density, which specific composite is not required by the claim. A test for determining the Drop Penetration Value of any composite as claimed has not been set forth. In other words, the tests used to measure the claimed physical characteristics are not described or disclosed at all or sufficiently, i.e. not enabled, and thus, the claims relying on such are not enabled.

Third, the claims set forth the physical characteristics desired of the starting SAM, as best understood, rather than the specific composition of the SAM or SAM/composite in the end

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product. Therefore, relying on Ex parte Slob, 157 USPQ 172, such claims could cover any conceivable combination of materials whether presently existing or which might be discovered in the future and which would impart the desired characteristic, i.e. the claims are too broad and indefinite since purport to cover everything having the characteristics regardless of its composition (It should be noted that 35 USC 101 sets forth “Whoever invents or discovers any new and useful...composition of matter...may obtain a patent therefor...title, i.e. does not include compositions that have yet to be invented and discovered.) Note also, for example, the specification at page 5, first full paragraph, e.g. “may include”.

Fourth, and similarly, the claims do not set forth any structure of the composite but the superabsorbent, i.e. claims could cover any conceivable SAM material either presently existing or which may be discovered in the future. The claims do not set forth that the article is only SAM, i.e. the claims could cover any conceivable present or future absorbent material which includes at least SAM. The claims do not set forth a specific process by which the SAM of the article is made into the composite, i.e. the claims could cover any conceivable present or future process of making. In other words, the claims could cover any conceivable present or future absorbent composite end product which includes SAM. Note again Ex parte Slob, supra.

Fifth, the lack of enabling description is now further exacerbated for the reasons set forth in paragraph 5 supra and paragraph 8 infra, i.e. the claimed neutralization of the superabsorbent invention is not supported by the original application and/or it is unclear how it is being neutralized as claimed.

For these reasons and evidence, the examiner concludes the specification fails to teach how to make and use the claimed invention without undue experimentation or that the scope of

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enablement provided to one skilled in the art is not commensurate with the scope of protection sought by the claims.

7. Claims 1-10 and 12-26 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. As set forth in MPEP 2163, the issue of a lack of adequate written description may arise even for an original claim when an aspect of the claimed invention has not been described with sufficient particularity such that one skilled in the art would recognize that the Applicant had possession of the claimed invention. The claimed invention as a whole may not be adequately described if the claims require an essential or critical feature which is not adequately described in the specification and which is not conventional in the art to or known to one of ordinary skill in the art. Further, as set forth in *Fujikawa v. Wattanasin*, 93 F.3d 1559, 1571, the lack of adequate written description also arises if the knowledge and level of skill in the art would not permit one skilled in the art to immediately envisage the product claimed from the disclosed process. As discussed in the preceding rejection, the tests which are essential or critical to the selection of the claimed superabsorbent and/or composite have not been disclosed or disclosed sufficiently, there is a lack of disclosure, and, at the very least, definite claiming of any specific composite or end product composition which is supported by the original application, and the claims are too broad in that the claims cover any conceivable combination of ingredients either presently existing or which may be discovered in the future and which may impart the desired characteristics. Therefore, the claimed invention as a whole is not adequately

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described because the claims require an essential or critical feature which is not adequately described in the specification and which is not conventional in the art to or known to one of ordinary skill in the art and the knowledge and level of skill in the art would not permit one skilled in the art to immediately envisage the product claimed from the disclosed process (Note again, e.g., the first full paragraph on page 5 of the disclosure, i.e. a nonconventional approach using superabsorbent material which may include ranges of properties, i.e. properties defined by nonenabled tests, and, e.g., the Summary of the Invention section on page 3 and the paragraph bridging pages 5-6, especially the use of the terminology “may”, i.e. the composites may have superabsorbent materials which may include certain properties which may address certain deficiencies). Therefore, one skilled in the art would recognize that the Applicant did not have possession of the claimed invention.

8. Claims 1-10 and 12-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 1, 12 and 23 it unclear how the superabsorbent has been neutralized, i.e. how can the superabsorbent be neutralized from 30 to 65 mole % with a monovalent hydroxide and yet also be neutralized from 5 to 40 mole % with a divalent hydroxide? Also, for the reasons also set forth supra, the claims are indefinite, vague and too broad, see Ex parte Slob, supra.

Claim Language Interpretation

9. The terminology “superabsorbent material” and “target area” will be interpreted as set forth on page 5, lines 13-16 and page 6, line 16. It is noted with respect to the latter that the

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terminology "the immediate vicinity" is considered relative absent claiming of specific dimensions. All other claim language will given their usual, i.e. dictionary, definition. It is noted that lines 6-8 of claim 1 and similar language in claims 12 and 23 describe the processing of the superabsorbent material, i.e. a product by process, see MPEP 2113. However, due to the lack of clarity set forth supra in paragraph 8, a composite, product or garment as claimed in claims 1, 12 and 23, respectively, which includes a superabsorbent which is neutralized at least 30 mole percent by at least one of a monovalent or divalent metal hydroxide at some time prior to the completion of the manufacture of the end product will be considered to meet the claim limitation.

Claim Rejections - 35 USC § 102/103

10. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

11. Claims 1-10 and 12-26 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Dow PCT '818.

In regard to claims 1-4 and 24, see, e.g., the Claim Language Interpretation section supra and '818 at the abstract, page 3, last full paragraph, page 5, first through third full paragraphs, page 6, line 19-page 7, line 5, page 7, line 19-page 8, line 19, page 9, lines 5-7 and 16-20, and page 9, line 24-page 14, last line of '818, i.e. an absorbent composite comprising superabsorbent material as disclosed, e.g. superabsorbent material comprising partially neutralized acrylic acid and which has been neutralized to the percentage claimed, as best understood, see the Claim Language Interpretation section supra and page 6, lines 19 et seq, i.e. at least 30 mole %, by

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alkali metal hydroxides, including specific mention of sodium hydroxide (alkali metals include calcium also), an internal crosslinking agent, a surface cross-linking agent, a capacity greater than 25/g/g and an Absorption Rate Index which is a time which equals about 10+10 a2 as claimed (It is noted that, especially due to the lack of enablement, it is unclear whether this time is the same as the claimed "Absorption Time" or not) Thus the Dow reference clearly teaches all the claimed structure and properties except for the characteristics of "Absorption Time" and the Gel Bed Permeability of the superabsorbent material as claimed and a Drop Penetration Value of the composite as claimed (It is noted that the composite of Dow may be a 50% superabsorbent/50% fluff composite). However, as noted supra, Dow does teach similar materials for similar purposes and same or substantially similar properties, i.e. a capacity and a slow absorption time. It is also again noted such characteristics are those of the superabsorbent making up the claimed composite, and such material, as now best understood, is, as best understood, tested prior to formation of such composite by the disclosed tests or processes, i.e. the specific characteristics of such material of the end product composite are unknown, and those of the composite, i.e. the specific characteristics of the end product composite are also unknown. Therefore it is the Examiner's first position that for the reasons set forth supra, i.e. same or similar compositions, purposes, desired properties to accomplish such purposes, etc., there is reasonable factual basis to conclude that the structure of the Dow also inherently possesses superabsorbent material and an absorbent composite with the claimed test characteristics or values when tested according to Applicants' tests, as best understood. In any case, the Examiner's second position, at the very least, the general conditions of the claim are disclosed by Dow and it is not inventive, i.e. it would be obvious to one of ordinary skill in the art, to discover

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the optimum or workable ranges, i.e. Applicant's ranges, by routine experimentation, In re Aller, 105 USPQ 233 (CCPA 1955).

Claims 5-10 and 12-23 and 25-26: See the discussion of claims 1-4 and supra as well as page 9, line 28-page 11, line 13, and thus Kellenberger '335 and '343, Meyer '603, Yarbrough '673 and Gustafsson '082 incorporated thereby which teach the SAM material distributed homogenously within a composite, e.g. '343, zoned within a composite, e.g. '335, 603, '673, '082, within a layer of a plurality of layers of a composite, e.g. '082, '673 or '603, alone or zoned in such layer, e.g. '673, zoned along a perimeter, e.g. '673, or laminated onto a substrate, e.g. '673.

Double Patenting

12. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

13. Claims 1-10 and 12-26 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over the claims of copending Application No. 10/660982 in view of Dow '818. Although the conflicting claims are not identical, they are not patentably distinct from each other because since the patent and the instant application have the same effective filing date, the one way In re Vogel test applies, i.e. are the claims of the instant application obvious in view of the other application claims? The answer is yes. The claims of the instant application are both broader and narrower than the '982 claims. With regard to such broader aspects (e.g. the application claims, as best understood, do not require specifics of the composition of superabsorbent material set forth in '982 claims), once an

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applicant has received a patent for a species or more specific embodiment, he/she is not entitled to a patent for the generic or broader invention. This is because the more specific anticipates the broader, i.e. the patented claims anticipate the application claims. See *In re Goodman*, supra. It is noted that line 1 of the instant claim 1 requires a composite comprising superabsorbent, e.g. includes 100% superabsorbent. Therefore the application claims are considered to be a polymer as claimed by the '982 claims, see also discussion in the next paragraph. Additionally claims 1-4 and 24 now require 1) such composite to exhibit a specific Drop Penetration Value and 2) the superabsorbent having been neutralized, as best understood, see the Claim Language Interpretation section supra, i.e. a degree of neutralization of at least 30%. With regard to 1) again, it is the Examiner's first position that for the reasons set forth supra, i.e. same or similar compositions, purposes, desired properties to accomplish such purposes, etc., there is reasonable factual basis to conclude that the structure of the '982 claims, i.e. a superabsorbent material/composite thereof, also inherently possesses superabsorbent material and an absorbent composite thereof with the claimed test characteristics or values when tested according to Applicants' tests, as best understood. In any case, the Examiner's second position, at the very least, the general conditions of the claim are disclosed by the '982 claims and it is not inventive, i.e. it would be obvious to one of ordinary skill in the art, to discover the optimum or workable ranges, i.e. Applicant's ranges, by routine experimentation, *In re Aller*, 105 USPQ 233 (CCPA 1955). With regard to 2), see the range of the neutralization of the application claims as best understood, i.e. at least 30%, the range of the '982 claims, i.e. "more than about 25%", and MPEP 2131.03, II, i.e. the '982 claims are considered to disclose the claimed subject with "sufficient specificity". However, also note 2144.05, I.

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Additionally claims 5-10 and 12-23 and 25-26 require features not claimed by the '982 claims in combination with the superabsorbent material. It is also noted that line 1 of claim 1 could be interpreted as requiring more than just superabsorbent material. However, see discussion of Dow '818, i.e. known to combine like superabsorbent with features such as those claimed in the instant claims to improve desired characteristics of any absorbent article, e.g. slow rate absorption. Therefore, to employ such claimed features in combination with the SAM of '982 would be obvious to one of ordinary skill in the art in view of the recognition that such features are known to be combined with such SAM to enhance characteristics desired in any absorbent article.

This is a provisional obviousness-type double patenting rejection.

Response to Arguments

14. Applicant's remarks have been carefully considered but are either deemed moot in that the issue discussed has not been reraised or is deemed not persuasive for the reasons set forth supra and/or because such are, e.g. narrower than the claim language. For example, the claims do not require a degree of neutralization of about 70% as argued. For another example, Applicant's remarks with respect to the double patenting rejection are narrower than the claim language of the instant claims, e.g. the composite of claim 1 can only be superabsorbent per se, and/or the rejections, e.g. the rejections are based on more than just the '982 claims, e.g. '818.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Materials Handbook sets forth what are considered alkali metals.

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any new grounds of rejection were necessitated by the amendments to claims 1, 12 and 23, the addition of the claims 24-26 and the cancellation of claim 11.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karin M. Reichle whose telephone number is (571) 272-4936. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tanya Zalukaeva can be reached on (571) 272-1115. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Karin M. Reichle
Primary Examiner
Art Unit 3761

KMR
April 25, 2007